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Major Legislation

Frank T. Nye

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Major Legislation

It was as though the 60th General Assembly had taken its cues from the 59th and then had gone its predecessor even better. For the 60th chalked up new records in greater numbers than even the 59th had done. Examples:

- The 60th lasted 125 days — a full week longer than the 59th, which held the previous record at 118 days.

- The 60th adopted a record budget of \$207.36 million a year, exclusive of highway department funds. This was over \$13 million higher than the previous record of \$193.8 set by the 59th.

Then, too, the 59th was a hard working session. It tackled major problems with abandon. But the 60th worked even harder. It not only tackled problems but acted decisively on more of them.

Perhaps it was due to some of the younger bloods, who were maturing rapidly and taking their rightful place in the legislative process. Perhaps it was due to the timely and periodic prod-
ding of the overwhelming Republican majority by the Democratic Governor. Or, perhaps, it was in part a result of the spirit of restlessness among the people, which seemed to express itself in a desire for legislation to accellerate Iowa's obvious

transition from a purely agricultural economy to a more balanced economy blending agriculture with industry.

Whatever it was, there could be no mistaking that this was a well-functioning legislature from the standpoint of accomplishment, even though it did stumble over the high property tax relief hurdle that had tripped up so many of its predecessors. But that was only one of the "Big Three," as the issues of reapportionment, legalized liquor and property tax relief became known, and it did pass the other two.

The Shaff reapportionment plan, first passed in 1961 as a proposed amendment to the Constitution, was adopted again so it could be submitted to the people at a statewide election set for December 3, 1963, instead of the usual time — the next general election. And the legislature voted to legalize the sale of liquor-by-the-drink for the first time in 47 years. True, neither action pleased high percentages of the people and, in fact, the Shaff plan for the second time was passed in the Senate by members who were in the majority there, but who represented far fewer people than the members who voted against it. But, whether or not you liked the actions taken, the legislature did act.

It considered, also, many other matters that fell into the "major" category, just a rank or two below the "Big Three," passing some, defeating others. Among those passed were bills:

To create a public utilities rate-regulating division under the Iowa Commerce Commission.

To improve benefits under the Iowa Public Employees Retirement System, workmen's compensation and employment security laws.

To permit counties, municipalities and school districts to invest idle funds at interest.

To appropriate the necessary funds to implement the Kerr-Mills law providing medical care for the aged, which was passed by the 59th General Assembly.

To provide for control of brucellosis in cattle.

To make it a misdemeanor to discriminate because of race, creed, or color in hiring workers.

To give municipalities a greater measure of home rule.

To implement the judicial reorganization amendment ratified by the people in June of 1962.

To give the Iowa Development Commission more of the legislative tools it deemed necessary to help lure new industry to Iowa.

To tighten up administration of the Highway Commission.

To revise the probate statutes for the first time in 50 years.

To prohibit a Governor from giving an interim appointment to any individual refused confirmation by the preceding Senate.

To extend the terms of county supervisors from three to four years, making them the same length

as those of other elected county officials excepting county attorneys.

In addition, the legislature also voted to ratify the proposed amendment to the U.S. Constitution banning the poll tax as a requirement for voting in national elections.

Most of the \$13 million a year increase voted in the state budget was for educational institutions under the Board of Regents. The Board's appropriation was set at \$50 million a year, a substantial increase of \$8.7 million, including \$16 million for capital improvements. In order to assure ample revenue for capital improvements, the legislature voted its only tax increase of the year, raising the four-cent per pack tax on cigarettes to five cents and allocating the anticipated \$3 million a year in new revenue to new buildings.

There were some important bills, too, that the legislature either rejected or sidetracked in some other manner.

Two of the most controversial were the bills to ban billboards from the Interstate highways in Iowa and to abolish capital punishment. The billboard bill never reached the floor although the House, in almost unprecedented action, turned down a request by its Roads and Highways committee for more time to study it and placed the measure on the calendar. But only a day or so later, it was dumped into Sifting committee, along with the rest of the calendar. Sponsors said pas-

sage of the bill would bring the state a \$1.7 million bonus, plus 90 per cent of the amount needed to purchase advertising rights from farmers, in Federal funds. An attempt during the last week of the session to pull the bill from House Sifting committee fell two votes short of the necessary two-thirds majority.

The House, however, did pass the bill banning capital punishment but the Senate let it die in committee.

Each chamber passed its own version of a bill to give the tax commission the legislation needed to equalize property valuations throughout Iowa to pave the way for more equitable distribution of state aids. But, in the end, neither would accept the other's version. It was the same with attempts to increase appropriations for state school aid and agricultural land tax credit. These were included in the property tax bill which tied up the legislature in the last minute failure.

Once again, the House passed its almost perennial resolution calling for annual sessions of the legislature and, once again, the Senate buried it in committee.

Neither chamber showed much enthusiasm over bills to require Sunday closing of stores, to review the Nebraska-Iowa boundary situation (the members were leaving it up to Nebraska after having taken action in 1961 which that state had refused to accept in partnership), to provide for red meat

checkoffs for funds to promote the sale of meat products, to permit pari-mutuel betting — although the House came mighty close to passing this when it was offered as an amendment to the tax bill.

The one bill which found feelings running deeper than even that proposing legalized liquor had to do with permitting private and parochial school children to ride on public school buses. This matter, injected into the legislative picture by Governor Hughes in his inaugural address, never made it to the floor except in the form of a committee report recommending "indefinite postponement." Rep. Scott Swisher, Iowa City Democrat, moved that the report be rejected. His motion lost 77 to 29. Probably this is not the last that will be heard in legislative halls on this subject.

The legislature paid little attention to the three so-called "silent amendments" calling for (1) state initiation of amendments to the United States Constitution without the necessity of a convention, (2) an amendment to the United States Constitution eliminating federal judicial authority over the apportionment of state legislatures and (3) an amendment to the United States Constitution establishing a "Court of the Union" which would have the right to review certain United States Supreme Court decisions. None was acted on.

It has been several sessions since the legislature has escaped without at least one of its bills being

vetoed and this session was no exception. Governor Hughes vetoed four bills — two from each chamber — and, in return, the Republican majority rose up to override one of them on a straight party line vote. That one was Senate File 434 which prohibited a Governor from giving an interim appointment to any individual refused confirmation by the previous Senate.

Governor Hughes said in his veto message that the bill was “politically inspired” after he had announced his intention to give interim appointments to two nominees refused confirmation by the Senate. He said that in the past the Senate had sometimes reversed itself and confirmed those given interim appointments after having rejected them when they were originally nominated.

“I do not believe a bill that would make such a far-reaching change in the structure of our government should be considered in a partisan atmosphere,” the Governor declared. “I do not feel it is in the best interests of good state government to further hamper future Governors and future Senators in their endeavors to find qualified individuals to fill crucial state positions.”

Here are the other bills vetoed by the Governor, together with the reasons he gave the legislature in veto messages:

Senate File 1 — relating to controlled access highways: “The implications of the bill are far from clear — and this fact in itself makes its de-

sirability as legislation questionable. Moreover, after hearing the arguments on both sides, evaluating the facts and reading the legal citations, I became convinced that enactment of this legislation, whatever its intentions and justifications might be, would seriously jeopardize the future of our highway program in Iowa. Believing this, I had no choice but to exercise the veto. . . . I want to clearly recognize the fact that the main intention of Senate File 1 is to protect the rights of individual owners along our highways. I am completely in accord with this goal. I simply feel that this bill has other, unintentional implications that conflict with the interests of the general public."

House File 48 — relating to licensing and inspection of county homes: "This act would exempt the 83 county homes in Iowa from the licensing requirements that now apply to county homes and to all private nursing and custodial homes. . . . I do not believe such an act would be in the best interests of the 6,000 persons now living in county homes, of the taxpayers of the counties that have county homes, or of the 17,000 persons now being cared for in private nursing and custodial homes throughout Iowa. . . . The enactment of this bill, I fear, would have a bad psychological effect on the enforcement of the entire nursing home act. . . ."

House File 156 — relating to permitting collection of sales tax on the cash difference in sales of

farm equipment where a trade-in is involved: "I cannot quarrel with the apparent intent of this measure to stimulate the sale of farm implements, automobiles and household appliances in Iowa. But the 60th General Assembly, failing to agree on any major tax bill, has provided an extremely tight budget with which to operate the state government for the next two years.

"The state tax commission has advised me that at the outset, House File 156 would cost our state treasury an estimated \$1,739,000 annually.

"The state comptroller has cautioned that so great a revenue loss — or even half that figure — during the coming biennium might well deplete the state general fund balance beyond the danger point. I cannot in good conscience lend my approval to any action which appears likely to jeopardize the fiscal position of our state government. It is with regret, therefore, that I must disapprove this bill."

In the final analysis, the legislature passed 388 new laws. Here's the box score on its accomplishments:

	<i>House Bills</i>	<i>Senate Bills</i>	<i>Joint Resolutions</i>		<i>Total</i>
			<i>House</i>	<i>Senate</i>	
Introduced	596	492	21	18	1,127
Withdrawn	52	36	0	0	88
Indefinitely postponed	34	0	3	0	37
Failed to pass.....	10	10	0	0	20
Passed by both houses but not enrolled	3	2	0	0	5
Passed by one house, no vote in other house.....	55	58	1	1	115

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Substitution made for.....	28	17	0	0	45
Bills in conference.....	1	1	0	0	2
Tabled	3	1	0	0	4
Conference committee					
report rejected	1	0	0	0	1
Sent to Secretary of State	0	0	2	1	3
Signed by Governor.....	179	204	0	4	387
Became law without					
Governor's signature	0	0	0	0	0
Governor vetoed	2	2	0	0	4
Passed over veto.....	0	1	0	0	1
New Laws	179	205	0	4	388

In comparison with other sessions, including the industrious 59th, the 60th General Assembly set a high mark of achievement for future sessions to shoot at.

Granted, it was the longest and the costliest session in Iowa history. But it may well have been, also, the best. Certainly it attained the highest rank of any in the last two decades.

Indeed, it probably would be necessary to go back into the early Thirties to find a legislative session to match the record made by the 1963 lawmakers. It was in the early Thirties that legislators took the bit in their teeth to replenish Iowa's depleted state coffers by passing the income, sales, and corporation taxes. But even in comparison, the 1963 session looked good.

It opened on January 14 only a minute after 10 a.m. It officially adjourned at 6 p.m. on May 18 — 125 days later. On that day the clocks were stopped to allow the staff to complete the paper work necessary to bring the session to an end. A

few legislators gathered again on the day the calendar read May 23 — although it was still May 18 so far as the legislative journals were concerned — in the House and Senate chambers. The clocks were started again for the first time in five days and when they pointed to 6 p.m., Lieutenant Governor Mooty and Speaker Naden rapped the session to a close in their respective chambers. Actually, it was 2:43 p.m., May 23.

FRANK T. NYE